

FAQs About IDEA 2004

Data Collection for 3, 4, 5, and 6-Year-Old Children with Disabilities

The IDEA 2004 requires each state to develop a State Performance Plan (SPP) as its accountability system for measuring improved outcomes for students with disabilities. The SPP addresses 20 performance indicators. Among these, performance indicator #7 requires an annual report of the percentage of preschool children with an Individualized Education Program (IEP) who demonstrate *improved*: (1) Positive social-emotional skills (including social relationships); (2) Acquisition and use of knowledge and skills (including early language/communication and early literacy); and (3) Use of appropriate behaviors to meet their needs. To collect this information, the Office of Public Instruction changed IEP development procedures for all children who are 3, 4, and 5 years of age, and some 6-year-old students.

For each 3, 4, and 5-year-old child with a disability, must the IEP address the three performance areas (1-3 above) under the indicator?

Yes. The IEP team will use data from the initial Child Study Team (CST) evaluation to establish the child's present level of performance in each area. The IEP team may then determine whether intervention is needed and which intervention strategies are appropriate to address the child's performance. At annual IEP meetings, the team will report whether the child improved on each of the performance areas.

How does the IEP team determine the child's level of performance?

The IEP team must conduct assessments and/or review data contained in the child's record.

How does the district obtain assessment and outcome measurement information for children who previously participated in the IDEA Part C program?

When a public school representative participates in the transition meeting with the parent, he or she should discuss prior interventions and document them on the *Referral* form. The district should use its *release of information form* to obtain both the Individual Family Service Plan (IFSP), as well as information about assessment, outcome measurement, and prior interventions conducted through the IDEA Part C Program.

Is a parent required to disclose information about assessment, outcome measurement, and prior interventions and their results conducted through the IDEA Part C Program?

No. A parent's refusal to disclose this information, however, does not excuse the district from assessing the child's level of performance. However, the IDEA 2004 specifically requires the IEP team to consider the content of the IFSP during the initial evaluation and initial IEP development.

Is parental consent required prior to conducting assessments in the areas of behavior, social/emotional, and communication?

No. Assessments of student progress for the purpose of guiding instruction do not require parental consent. However, when an assessment is conducted for the purpose of determining eligibility under IDEA, written parent consent is required.

What performance areas must the IEP team consider?

The three target areas for the performance indicator are: (1) Positive social-emotional skills (including social relationships); (2) Acquisition and use of knowledge and skills (including early language/communication and early literacy); and (3) Use of appropriate behaviors to meet their needs.

For an initial IEP meeting, what decisions must the IEP team make for each 3, 4, and 5 year old regarding the performance areas?

The IEP team must determine whether the child's present level of performance is comparable to same-aged peers or not comparable. Initial IEP meetings for children who are six or older do not have to rate the child's performance. An initial IEP meeting follows the initial CST meeting.

At annual IEP meetings, what decisions must the IEP team make for each 3, 4, 5, and 6 year old regarding the performance areas?

For each of the three performance areas, the IEP team must rate the child's present level of performance as: (1) Reached or maintained a level comparable to same-aged peers; (2) Showed improvement, but not to a level comparable to same-aged peers; or (3) Did not show improvement.

Must the IEP contain Measurable Annual Goals for each performance area?

No. Measurable Annual Goals must address the performance area(s) only if the IEP team decides that the child has needs in one or more of the areas.

Must the IEP team reassess the child every year?

Yes. The annual IEP for 3, 4, 5, and 6-year-old children will measure and report each child's level of performance for each area.

Do these requirements apply to children whose IEP only provides speech and language therapy?

Yes. All children who are 3, 4, or 5 years of age are included in this requirement, regardless of disability category or setting of service.



Linda McCulloch, Superintendent
Office of Public Instruction
PO Box 202501
Helena, MT 59620-2501
www.opi.mt.gov/speced